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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/624,453

07/22/2003

Arthur Donald Leigh

5589

7590

05/10/2004

Edwin D. Schindler  
Five Hirsch Avenue  
P. O. Box 966  
Coram, NY 11727-0966

EXAMINER

MORROW, JASON S

ART UNIT

PAPER NUMBER

3612

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/624,453

Applicant(s)

LEIGH, ARTHUR DONALD

Examiner

Jason S. Morrow

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11 and 13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11 and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it uses the legal phraseology "means" and "said". Correction is required. See MPEP § 608.01(b).

### *Drawings*

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the storage compartment being removable must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-3, 5-11, and 13 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 3, it is unclear what is being referred to by the term "they".

In claim 1, line 5, it is unclear how the lower body portion rotates.

Claim 11 recites the limitation "the front face of the caravan" in line 2. There is insufficient antecedent basis for this limitation in the claim.

*Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-3, 5, 7, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Spencer.

Re claim 1, Spencer discloses a caravan having a lower body portion (14) and an upper body portion (24) which are hingedly interconnected by means of at least one hinge member (the rear portion of 24 and 14), such that they can rotate about a first position when the upper and lower body portions are in close abutment and a second elevated position when the upper and lower body portions have been rotated a predetermined distance about the hinge member, by means of an elevation mechanism (the elevation mechanism including 46, 30, and the hinges

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between the side panels), the caravan being provided with side extension member (26, 28)) which are substantially horizontal when the body portions are in the first position but, when they are in the second position, the side extension members assume a substantially vertical orientation the arrangement being such that head room is provided over a substantial area of the caravan interior.

Re claim 2, the upper body portion assumes its second position by means of the action of the elevation mechanism directly on at least one side extension member (the springs 33).

Re claim 3, the upper body assumes its second position by means of the action of the elevation mechanism directly on the upper body portion (the rear wall 30 acts directly on the upper body).

Re claim 5, the side extension members are oriented such that when the upper and lower body portions are in their first position the side extension members are disposed substantially horizontally within the interior of the caravan without the necessity of disturbing any interior furnishings (see figure 3, the panels are substantially horizontal).

Re claim 7, the side extension members are manufactured from a firm fabrication.

Re claim 13, the elevation mechanism is a wind-up mechanism (46) comprising a handle located on an exterior side of the lower body portion.

### *Claim Rejections - 35 USC § 103*

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 6, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spencer discloses all the limitations of the claims, except for a rear face where at least one hinge member is located, the face being situated opposite from a face to which a towing mechanism is attached, the caravan being manufactured substantially from aluminum, or the caravan being manufactured substantially from fiberglass/insulation sandwich material.

It would have been an obvious matter of design choice at the time the invention was made to modify a caravan, such as that disclosed by Spencer, to have a rear face where at least one hinge member is located, the face being situated opposite from a face to which a towing mechanism is attached since applicant has not disclosed that this particular hinge arrangement solves any stated problem or is for any particular purpose and it appears the caravan would perform equally well with the hinge mounted to the same as that where the towing mechanism is located.

The use of aluminum and fiberglass/insulation sandwich material is old and well known in the construction of caravans.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to construct a caravan, such as that disclosed by Spencer, to be constructed of aluminum or fiberglass/insulation sandwich material, as is old and well known in the art, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

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10. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spencer in view of Gehman.

Spence discloses all the limitations of the claims, as applied above, except for a removable storage compartment being provided at a front face of the lower body portion of the caravan.

Gehman teaches a removable storage compartment (C) being provided at a front face of the lower body portion of the caravan.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a caravan, such as that disclosed by Spencer, to include a removable storage compartment, as taught by Gehman, in order to provide additional storage for the camper (Gehman, column 6, line 21).

### *Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cooper, Pacca, Frank, Laue, Fletcher, Kottke, Hagenson, O'Brian et al., and Andonian disclose expansible campers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason S. Morrow whose telephone number is (703) 305-7803. The examiner can normally be reached on Monday-Friday, 8:00a.m.-4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 2, 2004

Jason S. Morrow  
Examiner  
Art Unit 3612

JASON MORROW  
PATENT EXAMINER

5/2/04